

REMARKS/ARGUMENTS

The Examiner is requiring an election of a single and specific polyanion and degree of polymerization thereof (e.g., Claim 19) and a single and specific CD4 peptide sequence (e.g., one of SEQ ID NO: 1-18 as in Claim 22).

Applicants provisionally elect (1) a polyanion equivalent to heparin, (2) a dp of 12, and (3) SEQ ID NO: 13 wherein Xaa1 represents a thiopropionic acid and Xaa23 represents a bi-phenylalanin. Claims 19, 20, and 22-25 are readable on the elected species.

Applicants traverse the Examiner's Action on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified species. Also, the MPEP at § 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Election Requirement. Withdrawal of the Election Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in
condition for examination on the merits, and early notice of such action is earnestly solicited.

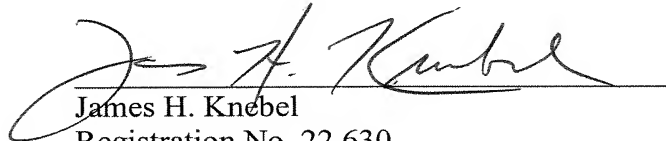
Respectfully submitted,

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